



US Army Corps
of Engineers
Alaska District

Regulatory Branch (1145b)
8800 Glacier Highway
Suite 106
Juneau, Alaska 99801-8079

Public Notice of Application for Permit

PUBLIC NOTICE DATE: December 31, 2003

EXPIRATION DATE: January 30, 2004

REFERENCE NUMBER: M-1999-1426

WATERWAY NUMBER: Auke Nu Cove 1

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States as described below and shown on the attached plan.

APPLICANT: Alaska Glacier Seafood Company, Post Office Box 34363, Juneau, Alaska 99803-4363.

LOCATION: The proposed project would be located at approximately 12 mile Glacier Highway, in Juneau, Alaska, at approximate Latitude: N 58° 22' 56", Longitude: W 134° 41' 15"; within Section 21, T. 40 S., R. 65 E., Copper River Meridian (USGS Quadrangle Juneau B-3).

WORK: The applicant requests authorization for the following work in Auke Nu Cove, below mean high water (approximate elevation +14.8 feet MLLW).

1. Construct an approximately 80-foot wide by 110- foot long timber dock. The structure would be secured with approximately 95 timber piles.
2. Install a 4-inch diameter saltwater intake pipe to elevation -60-feet, approximately 1085-feet in length.

Refer to the attached plan for details.

PURPOSE: The applicant's stated project purpose is to allow commercial boat moorage during low tide conditions.

ADDITIONAL INFORMATION: On December 11, 2002, a Department of the Army permit, file number 2-1999-1426, Auke Nu Cove 1, was issued to Alaska Glacier Seafood Company to discharge up to approximately 15,600 cubic yards of NFS embankment fill and riprap into approximately 0.63 acre of waters and navigable waters of the United States, in conjunction with construction of a fill pad. The currently proposed project would abut the previously authorized fill. For additional information about the proposed project contact the applicant's authorized agent, R&M Engineering Inc. at (907) 780-6060.

MITIGATION: None

COASTAL ZONE MANAGEMENT ACT CERTIFICATION: Section 307(c)(3) of the Coastal Zone, Management Act of 1972, as amended by 16 U.S.C. 1456(c)(3), requires the applicant to certify that the described activity affecting land or water uses in the Coastal

Zone complies with the Alaska Coastal Management Program. A permit will not be issued until the Office of Project Management and Permitting, Department of Natural Resources, has concurred with the applicant's certification.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, reasons for holding a public hearing.

CULTURAL RESOURCES: The latest published version of the Alaska Heritage Resources Survey (AHRS) has been consulted for the presence or absence of historic properties, including those listed in or eligible for inclusion in the National Register of Historic Places. There are no listed or eligible properties in the vicinity of the worksite. Consultation of the AHRS constitutes the extent of cultural resource investigations by the District Engineer at this time, and he is otherwise unaware of the presence of such resources. This application is being coordinated with the State Historic Preservation Office (SHPO). Any comments SHPO may have concerning presently unknown archeological or historic data that may be lost or destroyed by work under the requested permit will be considered in our final assessment of the described work.

ENDANGERED SPECIES: No threatened or endangered species are known to use the project area.

Preliminarily, the described activity will not affect threatened or endangered species, or their critical habitat designated as endangered or threatened, under the Endangered Species Act of 1973 (87 Stat. 844). This application is being coordinated with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service. Any comments they may have concerning endangered or threatened wildlife, or plants or their critical habitat will be considered in our final assessment of the described work.

ESSENTIAL FISH HABITAT: The proposed work is being evaluated for possible effects to Essential Fish Habitat (EFH) pursuant to the Magnuson Stevens Fishery Conservation and Management Act of 1996, 16 U.S.C. et seq and associated Federal regulations found at 50 CFR 600 Subpart K. The Alaska District includes areas of EFH as Fishery Management Plans. We have reviewed the January 20, 1999, North Pacific Fishery Management Council's Environmental Assessment to locate EFH area as identified by the National Marine Fisheries Service.

We have preliminarily determined that the described activity within the proposed area will not adversely affect EFH, including anadromous fish and Federally managed fishery resources.

SPECIAL AREA DESIGNATION: None.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts, which the proposed activity may have on the public interest, requires a careful weighing of all the factors that become relevant in each particular case. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. The decision whether to authorize a proposal, and if so, the conditions under which it will be allowed to occur, are therefore determined by the outcome of the general balancing process. That decision should reflect the national concern for both protection and utilization of important resources. All factors, which may be relevant to the proposal, must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns,

wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving 404 discharges, a permit will be denied if the discharge that would be authorized by such permit would not comply with the Environmental Protection Agency's 404(b)(1) guidelines. Subject to the preceding sentence and any other applicable guidelines or criteria (see Sections 320.2 and 320.3), a permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Comments on the described work, with the reference number, should reach this office no later than the expiration date of this Public Notice to become part of the record and be considered in the decision. Please contact Mr. Mike E. Hanley at (907) 790-4490, by FAX at (907) 790-4499, by mail at the letterhead address, or by e-mail at Michael.e.hanley@poa02.usace.army.mil, if further information is desired concerning this notice.

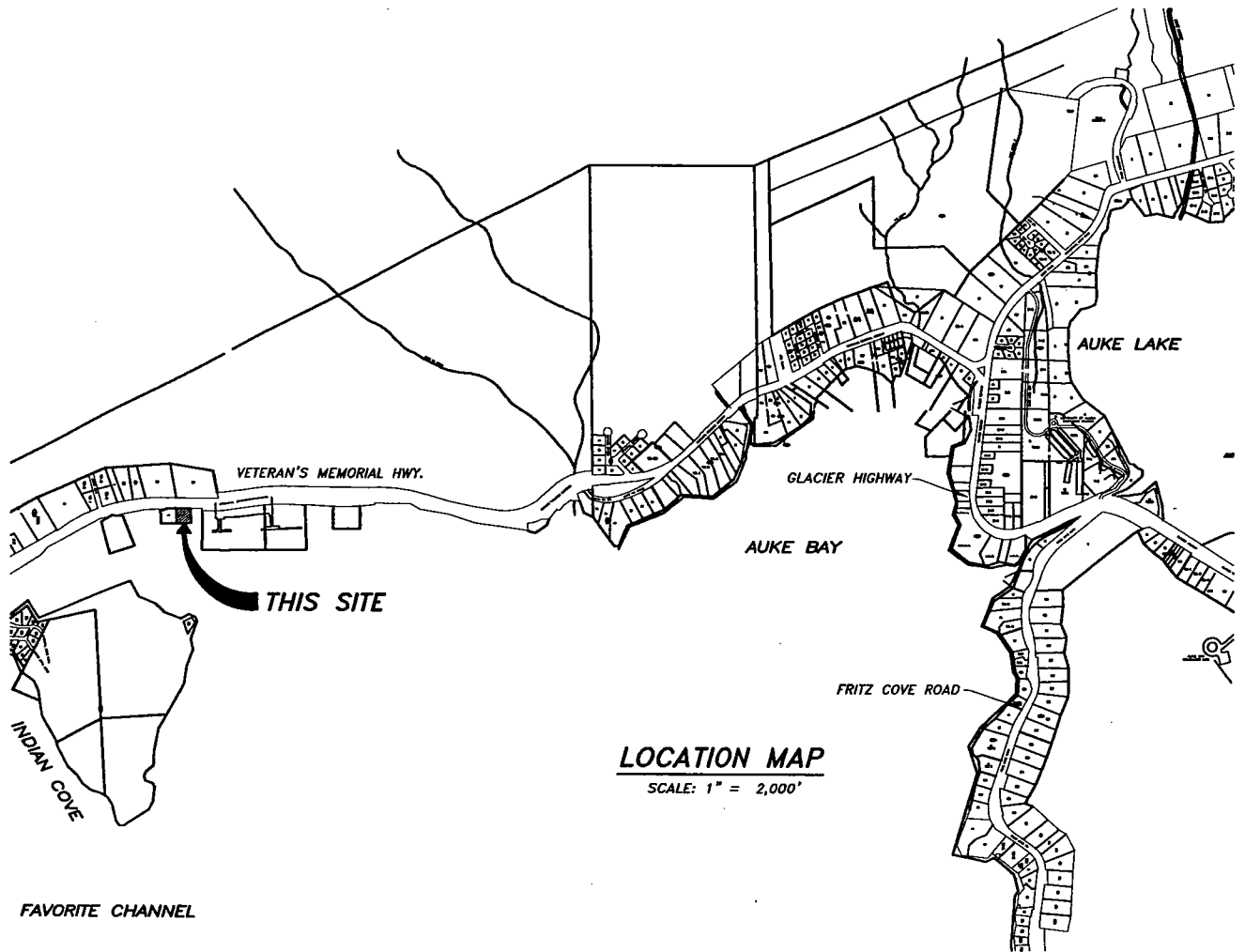
AUTHORITY: This permit will be issued or denied under the following authorities:

(X) Perform work in or affecting navigable waters of the United States - Section 10 Rivers and Harbors Act 1899 (33 U.S.C. 403).

A plan and a Notice of Application for Certification of Consistency with the Alaska Coastal Management Program are attached to this Public Notice.

District Engineer
U.S. Army, Corps of Engineers

Attachments



AUKE BAY, STEPHENS PASSAGE TIDAL DATA

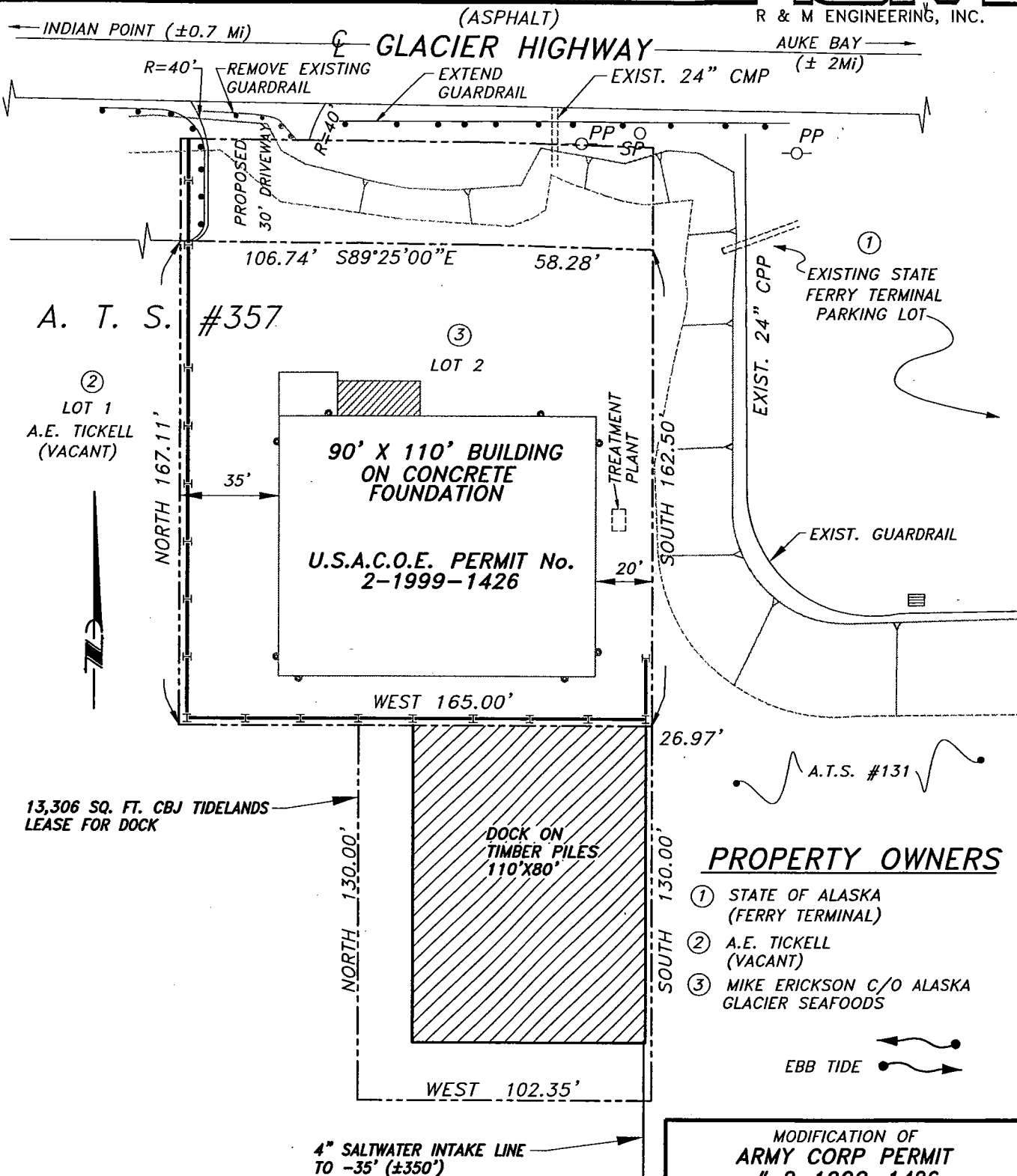
HIGHEST RECORD TIDE . . .22.0'(EST)
MHHW.15.85'
MHW14.85'
MTL8.20'
MLW1.55'
MLLW. . . (DATUM) . . . 0.00'
LOWEST RECORD TIDE . . -6.0'(EST)
HTL20.3' (COE EST)

SHEET INDEX

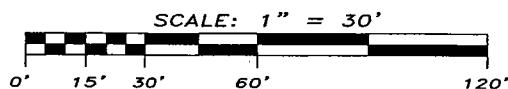
SHT.	DESCRIPTION
1	LOCATION MAPS
2	SITE PLAN
3	CROSS SECTION

MODIFICATION OF
**ARMY CORP PERMIT
2-1999-1426**
ADDING WOOD TIMBER DOCK
STRUCTURE ON TIDELANDS LEASE
FROM
CITY AND BOROUGH OF JUNEAU,
ALASKA

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Alaska Glacier Seafood Company
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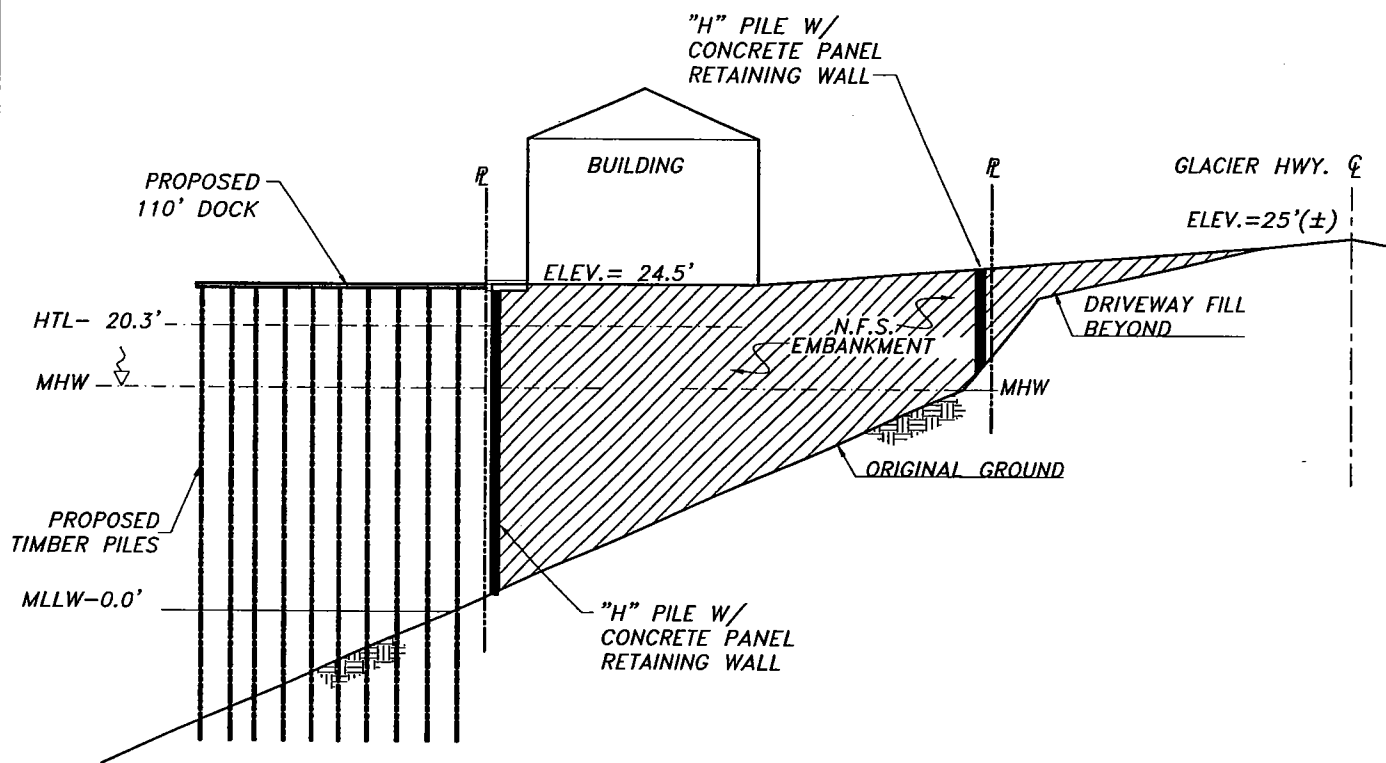


ALASKA GLACIER SEAFOOD CO. TIMBER DOCK ADDITION



MODIFICATION OF
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SECTION LOOKING WEST

N.T.S.

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FRANK H. MURKOWSKI, GOVERNOR

STATE OF ALASKA

OFFICE OF THE GOVERNOR

DEPARTMENT OF NATURAL RESOURCES
OFFICE OF PROJECT MANAGEMENT & PERMITTING

ALASKA COASTAL MANAGEMENT PROGRAM
302 GOLD STREET, SUITE 202
JUNEAU, ALASKA 99801-1127
PHONE: (907) 465-3562/FAX: (907) 465-3075

**NOTICE OF APPLICATION
FOR
CERTIFICATION OF CONSISTENCY WITH THE
ALASKA COASTAL MANAGEMENT PROGRAM**

Notice is hereby given that a request is being filed with the Office of Project Management and Permitting for a consistency determination, as provided in Section 307(c)(3) of the Coastal Zone Management Act of 1972, as amended [16 U.S.C. 1456(c)(3)], that the project described in the Corps of Engineers Public Notice No. **M-1999-1426 (Auke Nu Cove 1)**, will comply with the Alaska Coastal Management Program and that the project will be conducted in a manner consistent with that program.

This project is being reviewed for consistency with the Alaska Coastal Management Program. Written comments about the consistency of the project with the applicable ACMP statewide standards and district policies must be submitted to the Alaska Division of Governmental Coordination. For information about this consistency review, contact DGC at (907) 269-7470 or (907) 465-3562, or visit the DGC web site at <http://www.gov.state.ak.us/gdc/Projects/projects.html>.